

January

2011



Volume Four - Issue One

Prison Action News is a newsletter collaboratively published by prisoner support groups worldwide for prisoners to report on their struggles and acts of resistance from behind bars. All submissions must be **RECEIVED** by **Dec 1st** or **June 1st** and be in compliance with the guidelines below. Please note that we retain the right as editors to alter submissions for grammatical and content-related issues. Prison Action News is one part of the multi-faceted Prison Abolition movement. We believe that the writing in Prison Action News is as important as poetry or political essays, but is often less represented.

History:

The idea for Prison Action News came out of the 2007 Anarchist Black Cross (ABC) Network gathering. We wanted to create a venue for prisoners to share updates of their activities, similar to the updates we wrote in the network newsletter. Recognizing that there is far too much activity occurring in prisons to put in our quarterly newsletter, we decided to create a new newsletter specifically to report activity within prisons. As people on the outside, we can facilitate this dialog of prison resistance, and help our comrades stay informed about the inspiring actions others are taking. We have recently opened up submissions to prisoners and prison groups worldwide, and to bilingual writing. With your help this newsletter will be a success- if you know of resistance taking place that is not represented here, please send us a submission, and spread the word!

Please send submissions and/or questions to any of the following:

*PAN c/o Boston ABC
PO Box 230182
Boston, MA 02123
BostonABC@riseup.net*

*PAN c/o Central Texas ABC
PO Box 7187
Austin TX 78713
Twitchon@hotmail.com*

*Central Georgia ABC
PO Box 610
Roberta, GA 31078*

or PRISONACTIONNEWS@RISEUP.NET

Guidelines

1. An update must not exceed 500 words.
2. We will not accept submissions with racist, sexist, homophobic, or otherwise oppressive language.
3. An update may be a report on resistance activities of individual prisoners or prison groups (this can include, but is not limited to, radical book groups, hunger strike, general strike, letter writing campaigns, etc.).
4. A report should not be a political essay or a report on prison conditions, rather, the response and resistance to these conditions.
5. PAN accepts entries of artwork and illustrations.
6. One submission per group, per prison, per newsletter.
7. We will not report on gang activity.
8. We accept bilingual entries (when one language is English), as well as Spanish entries!
9. Entries may be submitted for publication by prison groups and organizations, or individuals, and may be submitted for publication with the name and contact information of the writer, or anonymously, to protect their identity.

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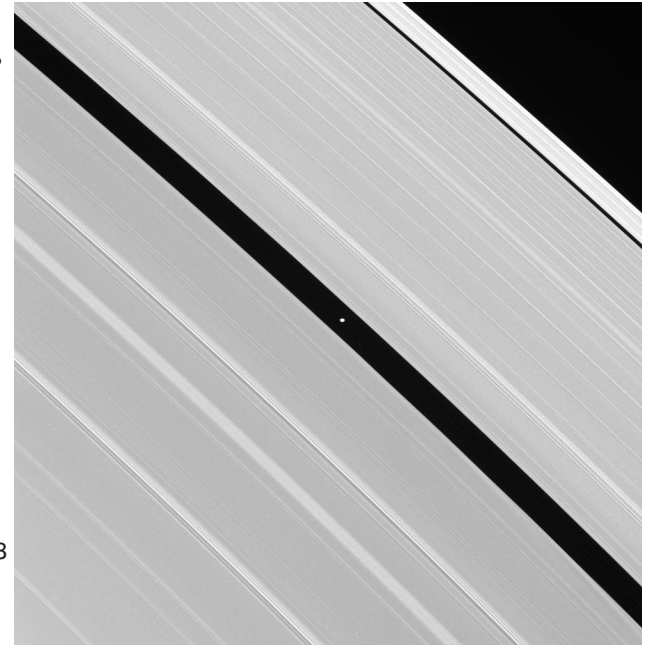
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PAN

PAN: NOUN. INNERMOST MOON OF SATURN. ORBITS WITHIN SATURN'S A-RING IN THE ENCKE GAP. PAN, AS A-RING SHEPHERD IS RESPONSIBLE FOR KEEPING THE ENCKE GAP FREE OF RING PARTICLES. DISCOVERED IN 1990.

Image above: the rings of saturn. The white dot in the black gap (the Encke gap) between the rings is Pan.

LAYOUT: JAKE CARMAN
EDITING: THE PAN COLLECTIVE, AND
MEMBERS OF BOSTON ABC

GROUPS AND PROGRAMS

New Panther Vanguard Movement

First I'd like to thank all the brothas and sistas for responses to the last communiqué published in PAN. Also I want you brothas/sistas to know that when writing please be serious about moving forward, because it wastes resources to reply to comments that have no intention of being pursued by the author who sent them. I also want you all to know that I Respond to "every" letter, and if you haven't gotten a reply, it's not because I didn't send you one, but because there may have been a problem in the mailing of mail from this plantation here. There is a serious attack being made on revolutionary-minded brothas and sistas and this matter needs to be duly addressed. First & foremost, we have to stop allowing others to misrepresent us, which only leads to mislabeling of those brothas and sistas that are true to this struggle.

We must stop paying lip service to what needs to be done and realize that we must educate ourselves in varied revolutionary ideologies and be studious in political affairs. Be more nation-minded and stop thinking along lines of individualistic problem-solving, no matter how much this is said, still we fall into this same style of struggling; (i.e.) division!!! This Willie Lynch syndrome must be eradicated to truly move forward; and face egotistical people among us that continue to breed disunity.

As Malcolm said, there cannot be any unity with others until first there is some self unity!!! We have to learn/understand that there will/has to be a leading body of any movement. That same leading body isn't placed in that position to dominate but to liberate. Not to control, but to secure true freedom for its people. NPVM has many programs that are beginning, soon, the Darrington Unit will begin our Black Studies Group as an offender's organization, and this is available to all for the sole purpose of bringing consciousness to the people, with an intent to help them overcome their struggles. This is something that can only be achieved with a unified effort, and of course, we know that there will be people who will make attempts to prevent the launching this program/organization, but with Unity we can/will prevail.

If we look at the history of various wars, we can see that even enemies understood unification was detrimental to everyone's survival against a common enemy. If unity failed, it meant the destruction of all. We must learn to unite against the stronger enemy, and any differences we may have can be discussed afterwards.

Basically, what I'm asking is that we unify and be serious about unifying and know that it takes consistency to win. Please send all replies to:

Sidney (Shariyf) Williams, #563001
59 Darrington Road, Rosharon, Texas 77583.

If for any reason your mail is returned, you can send your letter to Central Texas ABC, P.O. Box 7187, Austin, Texas 78713.

Sidney (Shariyf) Williams, NPVM National Chairman – "We're looking For Leaders!"

THE ALMIGHTY PEN AND PAPER: GRIEVANCES AND LEGAL WORK

In the Spirit of Real Freedom

My name is "Kijana Tashiri Askari", to whom is a New Afrikan Black Political Prisoner of War, as predicated upon the Imperialist Wars, that the Western Powers, and their allies, have waged upon the mothaland of Afrika, via the pillaging, & the murderous plot of colonial slavery, that they have subjected my people to, to which has continued to this day, by way of the trans-atlantic slave trade, and the current construct of the prison industrial slave complex (e.g. "prison system").

I am seeking legal representation, to represent me in trial on a §1983 civil claim, that is based on the systemic and arbitrary practices of fascism, in which Pelican Bay State Prison (P.B.S.P.) officials, and the California Department of Corrections & Rehabilitation (C.D.C.R.) has a long standing history in criminalizing the culture of New Afrikan Black people, in order to substantiate their false/spurious claims in labeling us as prison gang members, so they can keep us housed indefinitely, in their "concrete torture chambers," to which is also known as the security housing unit (S.H.U.). (* Note: In January of 2006, units D1 – D4 were transitioned into state based Communications Management Units (C.M.U.). *)

I would like to utilize the trial as a forum to educate the public, and bring awareness to the fascist practices, that P.B.S.P. officials & the C.D.C.R. have been engaging in, by locking up New Afrikan Black prisoners in the S.H.U. indefinitely, and labeling us as prison gang members for simply identifying with our culture, as New Afrikan Black people. The repercussions for being locked up in the S.H.U. indefinitely, has a devastating impact on the class of New Afrikan Black prisoners, in that, it means a permanent denial of parole!!

You may log onto www.sfbayview.com to check out some articles from the Bayview's newspaper, from August & September of 2009, as it pertains to this issue. And in so doing, it should become clear, that my §1983 civil claim is not just about me!! It is about: 1.) Restoring First Amendment rights to an entire class of New Afrikan Black prisoners; and 2.) Redeeming the historical & cultural legacy of New Afrikan Black people, from that of a criminal, to the rightful status of New Afrikan Black Freedom Fighters!!

On February 22nd, 2010, the U.S. Northern District Court denied the Defendant's Summary Judgment Motion and stated: "That the Defendants have not produced any material evidence to show that Black August, etc. promotes violence, and that the Defendants (e.g. "P.B.S.P." – C.D.C.R.) have been utilizing a "race based" approach, to criminalize the culture of African-Americans."

To obtain a true copy of this court ruling, you may write:

• Attn: Legal Services for Prisoners with Children,
C/O Carol Strickman,

1540 Market Street, - Suite #490,
San Francisco, CA. 94102

In Re: United States Northern District Court,
Harrison v. I.G.I.
Case No. C-07-3824-SI-PR

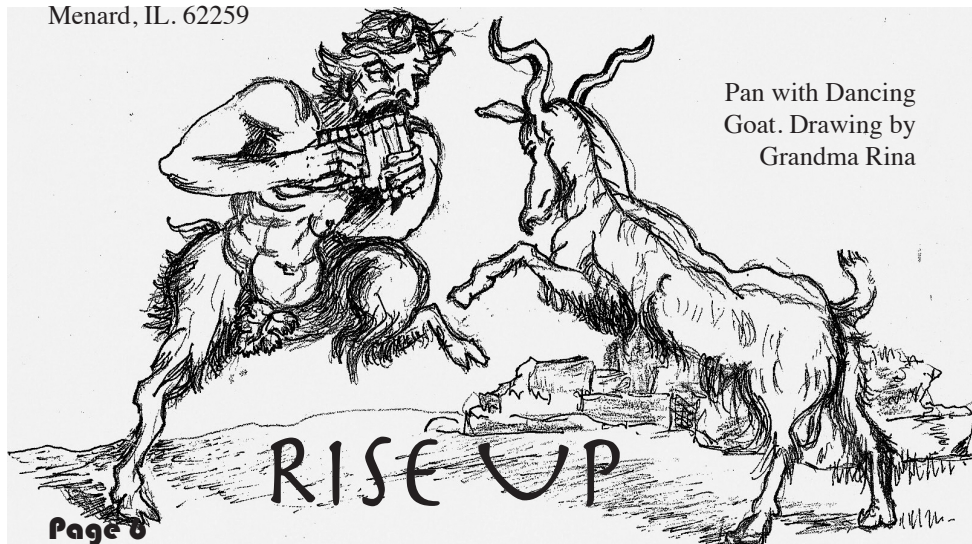
- Contact me at:
- Kijana Tashiri Askari,
s/n M. Harrison # H54077,
P.O. Box 7500 / D3-122 / SHU,
Crescent City, CA. 95531
www.myspace.com/dare2struggle

Menard, IL- December 2010

I have a \$1983 action pending, which I filed in response to the prison's refusal to allow disciplinary segregation inmates to have gloves, hats, boots, or wear layers of clothing when attending yard time in the winter. (Yard is 2 ½ hours – and temperatures can drop to below zero).

I also have a state action I filed after I broke my ankle and I was denied medical care for nine days. Then, the doctors refused to put a cast on my ankle or give me any type of brace or ace bandage; no crutches either. Does anyone have information or advice that can help me out with this?

Pedro Diaz, B46669
P.O. Box 711,
Menard, IL. 62259



Indiana Political Prisoner's Report: (Confronting "indefinite" Segregation)

My name is Khalfani Malik Khaldun and I've been in prison since 1987, held captive in segregation/isolation confinement since December 13, 1994; in a Special Confinement Unit in Carlisle, Indiana.

In 2006, the central office created a program "Actions, Consequences, and Treatment program," its objective was to allow prisoners serving Long-Term Sanctions opportunities to re-integrate to General Population pursuant to the IDOC Executive Directive #09-48 governing the (ACT) program.

It's the only "remotely rehabilitative" program for the (SCU), authorities have now excluded all A/S prisoners from participating in the program.

On June 23, 2009, I was approved to participate. Once I completed the program per the IDOC Executive Directive #09-48, I graduated with honors but the Indiana Department of Corrections refused to release me into General Population, pursuant to Policy 02-01-111 (The use and operation of adult offender administrative segregation); "indefinite" segregation.

The courts have declared excessive durations/placements on "A/S" units violate Due Process of Law – see: Merriwether v. Faulkner, 821 F. 2d 408 (7th Cir. 1987) – Id. at 416; Shelley v. Dugger, 833 F. 2d 1420 (11th Cir. 1987) Id. at 1427. Similarly, courts have declared "A/S" units cannot be used as pretext for punishment-confinement; see: Brown-El v. Deto, 969 F. 2d 644 (8th Cir. 1992) Id. at 648-49; also see: Van Poyck v. Dugger, 582 So. 2d 108 (Fla. App. 1991) Id. at 109.

The 7th Circuit Court ruled "indefinite" "A/S" confinement is excessive and violates Due Process; prison officials in Indiana must abide rulings from its 7th Circuit Court - thus "indefinite" confinement of "A/S" is violative. See: Walter v. Shansky, 28 F. 3d 666, 673 (7th Cir. 1994).

Indiana Department of Corrections authorities' sole "intent" is to "indefinitely" prolong punishment with "A/S" confinement when I haven't violated a single rule in [3] years. The U.S. Supreme Court declared the Proportionality Clause of the Eighth Amendment prohibits excessive punishment and punishment that is disproportionate to alleged misconduct(s) for which it is intended. See: Furman v. Georgia, 408 U.S. 238, 241 (1976).

The current "A/S" policy 02-01-111 doesn't indicate when a prisoner will be released, which means my status for release has no limits; prisoners all around the country are being assigned to these "indefinite" segregated control units.

You can challenge this via Federal or State Courts if the Defendant(s) assert they are operating under color of state law; by utilizing U.S. Constitutional Law and State Codes and the State Constitution.

I'm filing a civil action January, 2011, challenging "indefinite" warehousing, which subjects me to confinement hardships, and request an injunction/court order releasing me from (DWAS) immediately; and restraining order preventing re-segregation.

"Indefinite" segregation constitutes significant atypical hardships compared to ordinary incidents of prison life.

Simply put, 16-17 years of “A/S” isolation far exceeds ... “what one could expect from prison life generally.” See: Williams v. Ramos, 71 F. 3d 1246, 1249 (7th Cir. 1995).

In Solidarity,
Bro. Khalfani Malik Khaldun,
(Leonard McQuay) #874304,
A-1205 (SCU)
P.O. Box 1111, Carlisle, IN. 47838

Charleston, MO- December 2010

Recently, myself and several other prisoners here at South East Correctional Center in Missouri organized to form a united movement to combat the interference with, and violation of our right, per the First Amendment of the US Constitution, to correspond freely with people on the outside world, without state/government intrusion. The intrusion we are referring to is the obstruction of our posting of information on pen-pal websites. We have all filed I. R. R.s/Grievances claiming that the adoption and enforcement of state policy IS13-1.1 is unconstitutional on its face because it serves no legitimate penological purpose. Furthermore, the concerns used to justify this policy are already addressed by existing state laws preventing: (1) fraud; (2) inappropriate contact with minors, victims, or other prisoners; and (3) dissemination of lewd, threatening or potentially threatening material. As a remedy we requested that IS13-1.1 be declared unconstitutional and the statewide blanket ban restricting Missouri prisoners’ access to internet providers be lifted. We are in the process of exhausting state remedies to prepare to file a class action suit (42 U.S.C. §1983), and have begun to network with other prisoners across the state by sending them the information to file their I.R.R.s/Grievances. We also put together class petitions to: (1) Mr. Jeremiah X. (Jay) Nixon, Governor, PO Box 720, Jefferson City, MO 65102; and (2) Mr. David C. Fathi, Director, ACLU National Prison Project, 915 15th Street NW, Washington, DC 20005 asking assistance in challenging this policy. Please write to the above officials in support of having this blanket ban lifted. Our argument and position is basically the same as the prisoners in the Canadian Coalition against the Death Penalty V. Ryan, 269 F. Supp. 2d 1199 (9th Circuit 2003). Anyone who can offer any type of support on this issue can reach me at:

William Irving #182906
South East Correctional Center
300 East Pedro Simmons Drive
Charleston, MO 63834

Legal Defense Struggles To Free Chicano Political Prisoner Alvaro Luna Hernandez

The legal battle to free Chicano political prisoner ALVARO LUNA HERNANDEZ continues and is heating up. There are legal grounds to believe that State prosecuting authorities and the Alpine, Texas Police withheld material defense evidence, known as Brady material (Brady v. Maryland, 373 U.S. 83 (1963)), including witnesses’ statements, wire-taps of recorded telephone conversations between ALVARO and his retained defense trial attorney TONY CHAVEZ, who was then himself under federal drug investigations, and was slapped with a federal RICO criminal drug indictment a few months after ALVARO’S trial, charging CHAVEZ with several federal drug counts in federal court in Pecos, Texas. Chavez immediately entered into a plea agreement with federal prosecutors plead guilty and was sentenced to 30 months in federal prison and was disbarred from the practice of law.

Further, a news broadcast done of a “live” interview with Alpine Sheriff JACK McDANIELS by KOSA TV CHANNEL 7-ODESSA, hours after ALVARO disarmed the Sheriff and fled, shows the Sheriff lied at ALVARO’S trial (by first filing only “evading arrest” and disarming a cop charges against ALVARO - then “upgrading” them to more serious “aggravated assault with a weapon” charges), a copy of which is now being sought by ALVARO’S DEFENSE COMMITTEE.

This piece of evidence was never presented to the trial jury because of the machinations of the prosecutor and the sell-out lawyer CHAVEZ.

Had the jury seen this video tape, there is no doubt that they would have found ALVARO “not guilty,” as the jury was charged on the issues of self-defense at trial. The truth of the matter is that ALVARO was the victim of an armed assault by the Sheriff, but he gets convicted of aggravated assault against the Sheriff.

That is the reality of Texas’s Texas Rangers’ “gunpowder justice” and the police using the U.S. Judicial System to frame and to imprison political activists in order to silence them.

The DEFENSE COMMITTEE has begun the process of filing freedom of information requests with the State of Texas recently, and are soon to send similar Public Information Act (PIA) requests for government documents from Criminal District Attorneys in Brewster and Ector counties; and are seeking the aforementioned news VHS of interview with the arresting sheriff from a former TV station producer that would disavow his testimony against Alvaro.

Support for ALVARO is growing by the day, and many justice and freedom-loving people are learning of these injustices and coming to ALVARO’S support.

Stay tuned for further developments in the case. For more information visit: www.freealvaronow.net Support letters can also be mailed to ALVARO at:

ALVARO LUNA HERNANDEZ,
TDCJ-CID# 255735,
ALFRED D. HUGHES UNIT,
ROUTE-2, BOX 4400,
GATESVILLE, TEXAS 76597

CENTRAL TEXAS ABC,
COMMITTEE to FREE ALVARO LUNA HERNANDEZ,
P.O. BOX 7187,
AUSTIN, TEXAS 78713

Note: (Presently Alvaro continues to resist the 50-year unjust conviction compounded by an equally false gang-activity charge that's kept him in Administrative Segregation since August of 2002.)

Huntsville TX- November 2010

I hope this finds everyone in strong spirits and continuing to keep up the fight. We can't let up. If not us, who else is going to stand up for justice and humane treatment?

I am still in an ongoing struggle to receive recreation, church attendance, more day-room time, and other privileges granted to my custody level.

Through the grievance process, letters to Huntsville from my family and the aid of Ttitch, I can say conditions are improving. There is still a long way to go and possibly a §1983 petition in the future.

I encourage everyone to be diligent and create a strong paper trail. Dot every "i" and cross every "t". Also, get your families involved by writing letters and phone-calling. Prison Administrations hate to hear from outside concerned individuals. By them knowing that you have people who care, your conditions/treatment could improve. A phone call to your family's State Senator or House Representative from your district can get action.

Good luck my brothers and sisters in arms, I'll keep fighting over here, you keep it up over there; never say die – it can't last forever.

We shall be free, just wait and see.

Donald Cain
TDCJ#1484656,
Telford Unit

The 5th Circuit Court Delineates Due Process before Imposition of Senate Bill 45 Being Retroactive

On May 20, 2010, the 5th Circuit Court of Appeals held that Texas parolees who had never been convicted of a sex offense, but were subject to onerous sex offender parole conditions (SOPC's), were entitled to specific and extensive due process before the imposition of such conditions.

Paul Meza v. Brad Livingston, 607 F. 3d 392 (5th Cir. 2010) filed a §1983 lawsuit; the court found that Meza had a significant liberty in being free of sex offender registration and therapy conditions.

The Parole Board and TDCJ had also applied this law to "attempted capital" offenses under Senate Bill 45. I personally challenged the same law at a Dallas Federal Court in a §2154 Writ, and the Court rejected the argument.

In the Meza case, the 5th Circuit noted that according to the TBPP, parole officials intended to impose (SOPC's) on approximately 6,900 prisoners who had not been convicted of a sex offense. However, the Appellate Court rejected the estimated \$750,000 that would have provided those prisoners with adequate hearings, as a reason to circumvent due process.

The Court of Appeals held that the TDCJ-PD could be sued, even though it was the TBPP that imposed (SOPC's) because the TDCJ-PD played a key role in the process – including preparing the file used by the TBPP, orally arguing in favor of (SOPC's), and controlling the implementation of many of the (SOPC's). The Court held that either TDCJ-PD or the TBPP were entitled to Qualified Immunity.

So, the best action to challenging Senate Bill 45, is through a §1983 if you have not been convicted of a sex offense like myself. The 5th Circuit held that even though Meza was no longer required to register as a sex offender, sex offender registration remained an issue in the case because it had created a lifelong stigma. But, the Court of Appeals disagreed with the District Court's delineation of the process Meza was due insofar as the state was required to provide an attorney for a (SOPC) hearing.

Looking at the Law,

Kaazim Abul 'Umar,
(s/n Wesley L. Pittman),
TDCJ-CID# 428622,
Coffield Unit,
2661 F.M. 2054,
Tennessee Colony, Texas 75884
(Certified Paralegal #17881-2)

Tennessee Colony, TX- November 2010

Since arriving at the Beto Unit on 6/3/'10, I have not been able to mail any Law Library Policy Project Survey forms, for lack of resources. So the count is still 41 mailed; 11 responses. There was an effort to have survey forms placed in a book store, for customers to answer the (1) question and turn in their responses, but was never done. Maybe someone knows a place. No one has requested copies of the survey form, directly from reading about the survey in PAN Volume 3.

I have filed 13 grievances in the 24 weeks I have been here. Seven of them concerned problems caused by the unit's law library staff. Vickie Barrow answers Step-II Grievances about law library problems. In response to one, she wrote, "you requested and were issued a writ envelope on 8/5/'10", but I actually started requesting it, officially, on 8/3/'10, and got it on 8/4/'10. My legal mail did not get mailed until 8/5/'10, when it should have been mailed on 8/3/'10. Two grievances concerned with not getting meat-free "Johnnies" during lockdowns. That problem was assumed to have been corrected, system-wide, by my lawsuit in 1996. Two grievances were about not getting let out of the cell in time for lay-ins/appointments. One was about not getting out-of-cell-recreation while in transient wing for two weeks. And, the other was about not being able to verify that some legal missives were mailed.

My lawsuit (#171533-C, in the 89th District Court of Texas, Wichita Falls, Texas) is still active. The judge was supposed to consider the Respondents'/State Officials' Motion to Dismiss, on 8/6/'10, no receipt of a ruling: yet

That case concerns denials and confiscations of colored paper, and denials of 29 publications. Many prisoners fail to see the significance of the suit, not realizing that an officer might confiscate a letter from a loved one, just because it is on colored paper, and they could get a disciplinary conviction for having it, even though mailroom policies do not prohibit it from being delivered to the prisoner.

I filed a lawsuit (#173194-C, in the 89th District Court), in August, because TDCJ-CID officials refused to return .40¢ to my "books", which had been withdrawn for documents they later said I could not be given. That same Vickie Barrow, at the Step-II Level, claimed I requested different documents, which I refused, but my written document request clearly proves she is a liar. The Judge has ordered the case dismissed, but his order conflicts with decisional/case law, and he has, so far, failed to respond to my Request For Findings Of Fact And Conclusions Of Law. So, I may go to the Appellate Court to get the ball rolling. If they'll steal .40¢, they'll steal \$4.00, or \$40.00 for undelivered documents. In struggle!

Umoya Kwazulu,
(aka Richard T. Ayers),
TDCJ-CID# 468361,
1391 F.M. 3822,
Beto Unit, Tennessee Colony, Texas 75880

Mail Issues- December 2010

PAN has printed many questions and complaints about prisoners' mail lately, so for those who have complained as well as any other PAN readers having mail problems, pay attention!

Mail can be privileged or non-privileged. By law, privileged mail has certain protections and processing requirements providing that the envelope is clearly marked (both front and back) with one or more of the phrases "Legal Mail," "Private Mail," "Media Mail," "Medical Mail," or "Religious Mail" (adding "Confidential" can also help).

Legal Mail: This is mail to and from lawyers, legal organizations, law enforcement officials and agencies, Courts, Attorney General's office, and the Governor's Office. And, yes, the Department of Justice is considered a law enforcement agency for submitting complaints under the Civil Rights of Institutionalized Persons Act, American Disability Act, Religious Freedom Restoration Act & Religious Land, Use of Institutionalized Persons Act. Incoming legal mail should be delivered directly to your cell, opened in your presence, checked for contraband, scanned yet not read, and handed to you whom must sign for it. Outgoing legal mail is to be handed to the c/o, checked for contraband, scanned yet not read, placed in the envelope, handed back to you, sealed by you, handed to the c/o to sign and date over the flap which he then tapes. After recording the mail in a log sheet, the c/o is to deposit it in a legal mailbox in your view so you can confirm that your communication was mailed. (However, the legal mailbox is rarely visible).

Private Mail: This is mail to and from a government official pertaining to your case or complaints on legal issues. It should be processed like legal mail yet usually isn't unless you explicitly communicate with prison administrators and mailroom staff.

Media Mail: This is mail to and from media and press members and organizations. Beware that laws differ in each state. Generally, outgoing media mail may not be read by prisoner officials but incoming media mail can be. I suggest communicating with prison administrators and mailroom staff to attempt to process outgoing media mail like legal mail.

Medical Mail: This is mail to and from healthcare organizations including mental health and disability issues, doctors, nurses, psychiatrists, psychologists, etc. If opened prior to delivery, medical mail is to be opened only by prison medical/mental health staff. The content may not be shared with other prison staff. I suggest explicitly communicating these requirements with prison administrators and mailroom staff as well as prison medical staff and the party with whom you're corresponding to attempt to treat outgoing medical mail like legal mail.

Religious mail: This is mail to and from clergy members, ordained ministers, churches, and religious groups or organizations. The prison chaplain is the only staff member allowed to open religious mail. Its content may not be shared with other prison staff unless the chaplain considers it sufficiently suspicious or threatening. As above, I recommend advocating for religious mail to be treated like legal mail.

Sadly, most mailroom and floor staffers aren't aware of the laws regarding mail other than legal mail and non-privileged mail, so laws are often violated unless you specifically inform the pertinent staffers. It helps to obtain copies of relevant state laws and prison policies and have someone in the community either serve the prison officials with such documents or communicate with them about the issues.

Case laws

- 1.Castillo v. Cook County Mailroom 990 F.2d 304 (7th Cir. 1993)
- 2.Hudson v. Palmer, 468 U.S. 517, 547 (1984)
- 3.Martin v. Tyson, 845 F.2d 1451, 1456-57 (5th Cir. 1998) Cert. Denied, 488 U.S. 863 (1988)
- 4.Smith v. Boyd, 945 F.2d 1041, 1043 (8th Cir. 1991)
- 5.Wolfish V. Levi, 573 F.2d 118, 130, (2nd Cir. 1978) rev'd in part on other grounds sub. Nom. Bell V. Wolfish 441 U.S. 520 (1979).
- 6.Element v. Cal. Dep't of Corr, 220 F. Supp. 2d 1098 (N. Cal 2002)
- 7.Guajardo V. Estelle, 580 F.2d 748 758-759 (5th Cir. 1978) clarified on other grounds by McFarland v. Leyh (In re Texas Gen. Petroleum Corp.) SZ F. 3d 1330 (5th Cir 1995)
- 8.O'Donnell V. Thomas 826 F.2d 788 790 (8th Cir. 1987)
- 9.Parrish v. Johnson, 800 F.2d 600, 604 (6th Cir 1986)
- 10.Reneer V. Sewell, 975 F.2d 258, 260 (6th Cir 1992)
- 11.Davidson v. Scully, 694 F.2d 50, 53, (2nd Cir 1982)
- 12.Muhammad v. Pitcher, 35 F.3d 1081, 1083-86 (6th Cir. 1994)
- 13.Procunier V. Martinez 416 U.S. 396 (1974)
- 14.Bressman v. Farrier 82 F. Supp. 231 (N.O. Iowa 1993)
- 15.Castle v. Glymer 15 F. Supp. 2d. 640 (E.D. Pa. 1998)

Closing notes: Prison officials cannot censor mail merely for rude comments about the prison or staff or because they don't like the content. They must have a legal reason involving security, prisoner rehabilitation, or other cause deemed reasonable by the courts. If a piece of mail is not sent to the addressee within a certain time (usually 2-3 business days), both the sender and addressee must be notified of the mail rejection or restriction with the reasons and appeal procedures (e.g. the warden's designee and ultimately your prison system's headquarters). Many states, including Washington, do not allow direct prisoner to prisoner correspondence.

Brian Michael Robertson DOC # 876618

MCC- P.O. Box 7002

Monroe, WA 98272

[If my address changed, look me up via www.DOC.wa.gov.]

SOLIDARITY: WORKING ACROSS THE BARS

Draper, UT- December 2010

From the Mormon system of depravity, Amerikkka's most fascist state, I send greetings of revolution to all comrades worldwide. The struggle continues as the similarities between Utah's Uinta One Control Unit and Iraq's infamous Abu Ghraib unfold for all to see. The City Weekly, a local independent newspaper, has been conducting interviews with captives, sick with scurvy, for the past months. You can contact Jesse Fruhwirth at City Weekly, 248 South Main Street, Salt Lake City, UT 84101. Some of us are being dragged literally to and fro on mattresses and attempting to speak with broken teeth to newspapermen.

The fact that no story thus far has been printed speaks volumes about US media being merely a bourgeois institution. It's a middle-class forum with room only for McCarthyist scare tactics, racist justifications and cartoons.

Reactionary elements who condone a "prison world" have had to be weeded out in order to get our stories correctly heard, thus consolidating true comrades and progressive struggles. To this end, I've created BrandonGreensBlog.blogspot.com.

Anti-fascism puts the struggle in struggle in a state with its own demented religion full of perverts who justify polygamists and neo-Nazis. It's a state that creates sadists like Deland and McCotter and uses 30-30 rifles to silence dissent. Since Joe Hill and his frame up in 1915 up to Ronnie Gardner in 2010, these oppressive actions demand attention. And like a lone snow leopard surrounded by a state of latter day saints burning crosses decorated with fundamentalist baubles and scalps, I've stood screaming the truth:

From the Wild West to the Middle East

From plantations to prisons

It's business as usual for the oppressor nation

And until they drop me with five slugs to the chest, I'll remind everyone of some famous words before a historic revolt by Nat Turner:

"Ours is not a war for robbery . . . it is a struggle for freedom. Ours must be deeds and not words."

Revolution is not a bad word. It's just what happens when corruption prevails for centuries. It's a fact of life. And the similarities between Nat Turner's time and the present abound. The time will come when our words must turn to deeds. Let's remember "those that know themselves as well as their enemy prevail."

And let's wisely only fight battles we know we'll win . . . as Amerikkka weakens – us captives strengthen.

Write to City Weekly with some dissent in support of your Utah comrades. And see the enemy for what they are. Polygamists tanked up on saltpeter. Paper tigers – too closeto the struggle's fire. Only a matter of time now ... Burn Baby Burn! Unity Comrades!



Artwork: Jailtime by Green Muwsa, HV5362,
SCI-Fayette, Box 9999, LaBelle, PA. 15450-0999

Continued from page 15

Brandon Green #147075

Uinta One 208

Utah State Prison, PO Box 250, Draper, UT 84020-0250

DIRECT ACTION/ NON-COMPLIANCE

Historic Georgia Prison Strike- December 2010

Adapted by Boston ABC from NewsOne (1), Corrente (2) & Davey D's Hip-Hop Blog (3)

[In the beginning, there was a very strong media blackout. Many news stations, including most local Georgia news and radio, didn't start to cover the strike until December 12th, several days after it started. Even then, coverage was sparse and poor with much misinformation.]

Georgia — On Thursday morning, December 9, 2010, thousands of Georgia prisoners refused to work, stopped all other activities and locked down in their cells in a peaceful protest for their human rights.

The December 9 Strike became the biggest prisoner protest in the history of the United States. Thousands of men, from Augusta, Baldwin, Hancock, Hays, Macon, Smith and Telfair State Prisons, among others, initiated this strike to press the Georgia Department of Corrections (“DOC”) to stop treating them like slaves and institute programs that address* *their basic human rights. They set forth the following demands:

- A LIVING WAGE FOR WORK
- EDUCATIONAL OPPORTUNITIES
- DECENT HEALTH CARE
- AN END TO CRUEL AND UNUSUAL PUNISHMENTS
- DECENT LIVING CONDITIONS
- NUTRITIONAL MEALS
- VOCATIONAL AND SELF-IMPROVEMENT OPPORTUNITIES
- ACCESS TO FAMILIES
- JUST PAROLE DECISIONS

Despite that the prisoners' protest remained non-violent, the DOC violently attempted to force the men back to work—claiming it was “lawful” to order prisoners to work without pay, in defiance of the 13th Amendment's abolition of slavery (4). In Augusta State Prison, six or seven inmates were brutally ripped from their cells by CERT Team guards and beaten, resulting in broken ribs for several men, one man beaten beyond recognition. This brutality continues there. At Telfair, the Tactical Squad trashed all the property in inmate cells. At Macon State, the Tactical Squad



Photo: Protest at the North County Jail in Oakland in solidarity with the Georgia prison strikers, December 17. Photo by Malaika Kambon, People's Eye Photography. <http://sfbayview.com/>

has menaced the men for two days, removing some to the “hole,” and the warden ordered the heat and hot water turned off (5). Despite this repression, men at Macon, Smith, Augusta, Hays and Telfair State Prisons committed to continuing the strike. Inmate leaders, representing blacks, Hispanics, whites, Muslims, Rastafarians, and Christians (6) stated the men would stay down until their demands are addressed, one issuing this statement:

“...Brothers, we have accomplished a major step in our struggle...We must continue what we have started...The only way to achieve our goals is to continue with our peaceful sit-down...I ask each and every one of my Brothers in this struggle to continue the fight. ON MONDAY MORNING, WHEN THE DOORS OPEN, CLOSE THEM. DO NOT GO TO WORK. They cannot do anything to us that they haven't already done at one time or another. Brothers, DON'T GIVE UP NOW. Make them come to the table. Be strong. DO NOT MAKE MONEY FOR THE STATE THAT THEY IN TURN USE TO KEEP US AS SLAVES...”

When the strike began, prisoner leaders issued the following call: “No more slavery. Injustice in one place is injustice to all. Inform your family to support our cause. Lock down for liberty!”

In some of the prisons, the strikes lasted 5 days or more. In their aftermath, a delegation comprised of representatives from the NAACP, the Nation of Islam, the U.S. Human Rights Network, the ACLU of Georgia, The Ordinary People Society (TOPS) and the Texas Criminal Justice Coalition, visited Macon Prison. Prisoners reported many concerns to the delegates, including having to pay for medications, but not getting paid for their labor, having to adhere to disciplinary policies that lack clarity, and being isolated or transferred for reasons that are unclear. Latino inmates reported that they are not typically provided information in Spanish and therefore are barred from fully understanding their rights and prison regulations -- and are hence restricted in their ability to successfully navigate the system. An overall lack of educational and self-improvement opportunities was also apparent to the delegation. Prisoners shared that their families are experiencing significant frustration and hardship due to challenges in visiting their incarcerated loved ones.

The delegation is planning another visit for the end of December and hopes to gain more information so that they may clearly determine “where policy is flawed and where other problems come from.”

“We only got to sit down with correctional officials, we only gained access to the prisons because of the courageous stand of those behind the walls. It was their willingness to work together across different lines and to sacrifice the very limited freedom and safety they have that got us to this point. The prisoners have done all they can do now. It's up to us to build a movement out here that can make the changes which have to be made,” delegation member Rev. Kenny Glasgow of TOPS told Georgia Prison Watch.

(1) <http://newsone.com/nation/newsonestaff2/historic-georgia-prison-strike-ignored-by-media-prisoners-guard/>

(2) www.correntewire.com

(3) http://criminaljustice.change.org/blog/view/fact-finding_mission_reveals_deprivation_

and_hope_in_georgia_prison

(4) *Note: The 13th Amendment does permit involuntary servitude for those duly convicted. However, compelling arguments can be made that many prison conditions constitute “cruel and unusual punishment.” For instance, the UN and other countries view segregation units as such.*

(5) *Georgia was having unusually cold weather during this time.*

(6) *The Georgia prisoners participating in the strike demonstrated complete solidarity and coordinated their actions regardless of affiliations, be they religious, racial, or gang-related.*

Genocide Day At Manci - December 2010

Here at Manci (Mansfield State, Ohio), a new warden decided to flex his muscles. He was ordering cell shakedowns, cracking down on theft of chow hall food, ending fundraisers that give us an opportunity to buy decent food, and he was planning all kinds of changes to prison operations—all repressive. Then, a week before Thanksgiving (Genocide Day), somebody printed up a flyer that exposed the new warden's true agenda: To scare the public and stall predicted budget cuts to prisons, the ODRC (Ohio Department of Rehabilitation and Correction) sent this fuckweasel here with the secret plan to start a riot. The flyer also recounted some racist comments this fascist made. The flyer was everywhere. It proposed mass sabotage to structure, machinery, equipment and technology and the theft of state materials. It also called for all prisoners to flush our toilets 3 times at count on Thanksgiving, increasing the water pressure and busting the water mains.

Within days, the boilers for the kitchen were all offline. Computers were fizzled with salt water. Panic ensued. The warden released a statement assuring the population that he was NOT implementing repressive changes. For fear of reprisals, fundraisers were approved. The administration rented a boiler at the cost \$3500 a week to feed us the best Thanksgiving meal prisoners have ever seen – so big, we each got two trays. And, the dinner bag that customarily has a bologna sandwich and an apple contained two sub sandwiches, an apple, a banana nut muffin, drink mix powder and a package of generic Oreo-style cookies.

Since the flyer, the warden has been an absentee landlord. The operation of the prison has returned to normal.

An analysis of these events would reveal that we didn't take power from the prison administrators; what we took was the illusion that they ever had any real power in the first place.

(Name withheld because the ODRC fuckweasels are brutal and lawless)

Inmates escape in Mexico jailbreak - December 2010

From AlJazeera

<http://english.aljazeera.net/news/americas/2010/12/201012188453504495.html>

At least 140 inmates have escaped from a state prison in the northern Mexican city of Nuevo Laredo, near the border with the US state of Texas. Police said the prisoners easily but slowly filed out of the jail's main entrance with the complicity of prison guards on Saturday.

"From preliminary investigations, we know that the inmates left by the service vehicle area and were allegedly helped by the penitentiary centre staff," Antonio Garza, a local security chief, said.

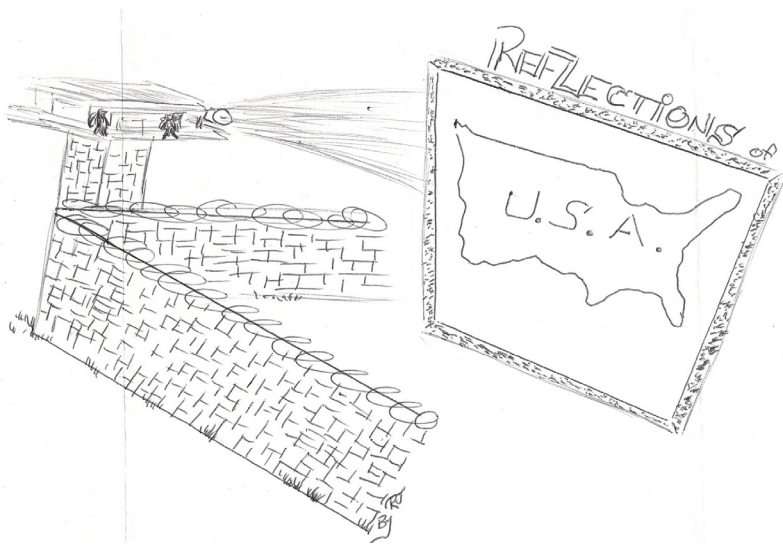
"The staff of this prison is at the General Attorney's office disposal and they have betrayed the state government."

Mexico's interior ministry has blamed the escape on local authorities, saying they did not properly guard the facility.

The head of the state's jail system has been suspended following the incident. It is the country's biggest jailbreak since the government began its war on drugs four years ago.

It is not clear who orchestrated the escape, but police sources say a Gulf of Mexico cartel may have offered to free gang allies on condition that they switch sides.

In July, authorities found out that prison officials in a northwestern state had allowed convicts to escape for the night to carry out revenge attacks.



Artwork: Reflections by Reginald Jones, formerly in Bryan TX, current location unknown. May, 2009

Chronology of North American Prisoner Resistance - November, 2010



From Fire to the Prisons #10

15 April – Akron, Ohio –

An inmate at Summit County's Community Based Correctional Facility tried unsuccessfully to escape via an air duct. As paperwork was being prepared, staff members went to retrieve the inmate and escort him to the deputy. The inmate, however, refused to cooperate and climbed into the drop ceiling, ignoring commands to come out. The inmate remained crawling around in the air ducts until he was located and apprehended by the Akron Fire Department.

16 April – La Porte, Indiana –

An Indiana State Prison inmate walked away from a prison road crew at the Summit Farm Operation.

18 April – East Meadow, New York –

Three Nassau County Jail guards were injured in a scuffle. Injuries included a sprained ankle, hyper extended knee and cuts and bruises. One officer was also treated for respiratory problems.

19 April – Saint Louis, Missouri -

Just after being taken to the St. Louis Justice Center, a soon to be inmate slipped out of their cuffs and took off through the north door after it was opened by departing employees.

20 April – Cranston, Rhode Island –

A 60 year old corrections officer was punched in the face and knocked unconscious by an inmate at the Adult Correctional Institution.

24 April – Burlington, North Carolina -

A Dan River Prison Work Farm inmate scaled the exterior fence and ran off.

26 April – Columbia, South Carolina –

An inmate on work assignment from the Campbell Pre-Release Center walked off.

28 April – Castaic, California –

Two Pitchess Detention Center inmates escaped at a kitchen loading dock.

30 April – Hogden, Oklahoma –

An inmate walked away from the Jim E. Hamilton Correctional Center.

2 May – Mitchellville, Iowa –

An inmate at the Correctional Institute for Women kicked and punched two correctional officers and spat on a third who tried to restrain her.

5 May – Los Angeles, California –

Four Metropolitan Detention Center guards were injured as they tried to intervene in an inmate disturbance. Two of them were hospitalized.

7 May – Lawton, Oklahoma –

An attack at the Lawton Correctional Facility sent a prison guard to the hospital. An inmate at the facility, run by the GEO Group, packed a blanket or pillowcase with rocks and hit the officer over the head with it.

11 May – Lake Wales, Florida –

An inmate receiving medical treatment at the Lake Wales Hospital told the detention deputy on duty he had to use the bathroom. As he left the room he hit the deputy over the head and overpowered him. His hospital gown was torn off in the process and he escaped wearing only his socks and ankle shackles.

12 May – Mason, Tennessee –

Approximately 35 West Tennessee Detention Facility inmates refused to enter their cells and began destroying furniture. The facility is run by the Nashville-based Corrections Corporation of America, which operates 65 facilities in 20 states.

13 May – Truth or Consequences, New Mexico –

An inmate managed to escape from the Sierra County Detention Center by slamming a door on a detention officer while being transported between buildings and running off.

16 May – Victorville, California –

Several fights broke out between numerous inmates at the US Penitentiary's outdoor recreation area.

17 May – Rogers, Arkansas –

A Benton County Juvenile Jail inmate almost immediately began choking the corrections officer after he was released from his seat belt and then started banging the officer's head into the security cage of the vehicle they were riding in. The juvenile, still in handcuffs and ankle restraints, then ran off into a field only to be caught by a good citizen.

18 May – Scottsboro, Alabama –

An inmate who was given a two day leave from the Scottsboro City Jail to take care of personal business failed to return.

19 May – Cumming, Georgia –

A Forsyth Jail inmate climbed up through a hole in the roof between some wire and got on top of the roof. Jumping from there, they made their escape on foot.

21 May – Wichita, Kansas –

A Sedgwick County Jail inmate set fire to the transport van they were being transferred in and tried to escape after being removed from the burning vehicle. The van sustained an estimated \$25,000 in damages.

22 May – Morristown, Tennessee –

Three inmates assaulted a Hamblen County Jail officer in an escape attempt. They then fought three more who came to the aid of the first before being subdued.

24 May – Livingston, Texas –

A Polk County Jail inmate escaped from their work crew.

25 May – Versailles, Kentucky –

For the second time in a month, an inmate escaped from the Woodford County Jail.

26 May – Merced, California –

Two John Latorraca Correctional Facility inmates attacked a guard over food portions.

28 May – Coquille, Oregon –

An inmate working with a crew from the Shutter Creek Correctional at the Coquille Masonic Cemetery walked away.

30 May – Albuquerque, New Mexico –

A 16 year old inmate at the Youth Diagnostic and Development Center punched a guard in the face. The staff claims the facility is too dangerous and they are afraid to go to work.

3 June – Charleston, West Virginia –

An inmate assaulted correctional officers by kicking at them when they tried to stop him from spitting at them.

6 June – Lexington, Kentucky –

Five Fayette County Detention Center inmates refused to enter their cells after a basketball game. Covering their faces with shirts and armed with phones, batteries and a shower door, they taunted officials in riot gear and fought them as they tried to restore order.

7 June – Walla Walla, Washington –

A Washington State Penitentiary corrections officer was stabbed in the neck with a sharpened toothbrush.

13 June – Junction, Texas –

An inmate stole a Kimble County Jail truck and drove off.

16 June – Fairfield, California –

Two inmates escaped the Fouts Springs Youth Facility.

17 June – Portsmouth, Virginia –

An inmate being transferred from court was able to escape from the transport van by breaking out the rivets on the inmate cage, unlocking the door and jumping out.

18 June – Lovelady, Texas –

An Eastham State Prison guard sustained serious facial injuries when an inmate attacked him with a homemade knife. The knife was 2.5 inches long and was fashioned from three razor blades attached to a pen casing.

19 June – Springfield, Missouri –

Two Greene County Jail officers were injured in a scuffle with an uncooperative inmate. Besides pain from punches to the faces and heads of the officers, one of them suffered a broken ankle.

20 June – Laurel, Maryland –

Many of the inmates at the New Beginnings Youth Correctional Facility refused to enter their cells and fought off the corrections officers who tried to regain control. Several staff members were injured including the shift supervisor, who suffered a broken jaw. The inmates also managed to steal the electronic master key. When response units from the Metropolitan Police Department and other local agencies responded to the incident, they found some of the youths wandering through the facility at will while others climbed to the roofs of two “living units.”

24 June – Meridian, Mississippi –

An inmate escaped from the Simpson County Community Work Center.

25 June – Cassville, Missouri –

An inmate managed to escape the Barry County Jail by scaling the perimeter fence. He climbed on the shoulders of another inmate above security cameras and used a camera bracket to get up on the chain link fence. From there, he pried at the chain link, which is affixed by heavy duty clamps, until they created a small hole through which he crawled out.

26 June – Modesto, California –

An inmate escaped from the Stanislaus County Honor Farm during a fire. The two deputies watched the inmate scale the fence, but could not pursue as they had 86 other inmates to evacuate.

27 June – Warner Robins, Georgia –

A Houston County Jail inmate threw a cleaning agent that contained bleach into the eyes of two correctional officers.

30 June – Troy, Alabama –

An inmate lit a roll of toilet paper on fire, filling the Troy City Jail with smoke: forcing an evacuation and causing smoke damage.

3 July – Youngstown, Ohio –

An Ohio State Penitentiary inmate’s hunger strike began over demands for medical care.

8 July – Fort Madison, Iowa –

An Iowa State Penitentiary corrections officer suffered facial abrasions after an inmate assault.

10 July – Corcoran, California –

Inmates at Facility-A of the Corcoran State Prison California Substance Abuse Treatment Facility refused to eat their meals or perform their kitchen, clerical and janitorial duties as part of a hunger strike and work stoppage in response to a lockdown imposed on the unit.

11 July – Concord, New Hampshire –

Approximately 30 inmates at the State Prison for Men went on a hunger strike over the temperature of their cells after the prison confiscated their fans just before a heat wave.

13 July – Philadelphia, Pennsylvania –

A Youth Study Center inmate escaped from the radiology center where they were taken for x-rays.

15 July – Kincheloe, Michigan –

Three Kinross Correctional Facility inmates overpowered a truck driver at a food service delivery loading dock and tried to escape by driving through the double chain

link fence. The truck made it about 100 yards past the fence when one inmate took off running and was fatally shot by a guard.

18 July – Augusta, Georgia –

A Charles B. Webster Detention Center inmate cut a hole in the fence near the recreation yard and escaped.

19 July – Pikeville, Tennessee –

For the second time in two weeks, the same inmate had escaped from the Bledsoe County Jail.

1 August – Eureka, California –

Two correctional officers at the Humboldt County Juvenile Hall were hospitalized after being assaulted by an inmate. The attack occurred as the two officers entered the inmate’s cell. Once the cell door was open, the inmate gouged the eyes of one officer and knocked the other to the ground, kicking and stomping him in the face numerous times.

2 August – Jacksonville, Florida –

In an escape attempt from the Pre-Trial Detention Facility, four inmates jumped a corrections officer and took his Taser. The inmates took control of the room and tried to let other inmates out by pushing buttons on the control panel. Unfortunately, more correctional officers arrived on the scene and regained control.

4 August – Doylestown, Pennsylvania –

An inmate ran out of the Men’s Community Center while waiting to take a urine test.

6 August – Montgomery, Alabama –

A city jail inmate caused more than \$9,000 in damages at the Montgomery Municipal Court building while awaiting a court appearance. The inmate damaged a bathroom sink and the adjoining pipes, causing water damage in the Montgomery Police Department’s supply and evidence rooms.

8 August – Atlanta, Georgia –

A Fulton County Jail inmate stabbed a corrections officer in the back with a home-made knife. When the officer tried to subdue the inmate, another inmate jumped in and tried to stop him.

12 August – Fort Leavenworth, Kansas –

Four inmates assaulted a corrections officer at the U.S. Disciplinary Barracks and took his keys. They locked the officer in the shower area and used the keys to open the cells of 10 additional prisoners where they enjoyed the 24 cell tier for three hours before staff was able to regain control.

16 August – Lancaster, Ohio –

Fairfield County Jail inmates rioted over movement restrictions within the facility. The inmates set mattresses on fire and “threw things.”

19 August – Davenport, Iowa –

A Scott County Jail corrections officer was beat over the head with a chair.

21 August – Spokane, Washington –

20 to 30 Spokane County Jail inmates flooded their cells in a coordinated effort.

22 August – Sterling, Colorado –

An inmate who has escaped Colorado law enforcement four times in the past, made the first successful escape in the history of the Sterling Correctional Facility, which

is the largest prison facility in Colorado.

23 August – Castaic, California –

For two hours nearly 200 inmates from six barracks threw rocks at deputies and armed themselves with shanks.

1 September – Monterey, California –

166 inmates at the Monterey County jail went on hunger strike after the jail administration decreased their allotment of soap from four bars a week to one.

6 September – Santa Clarita, California –

An inmate tried to escape Los Angeles County Jail by climbing into the ceiling of jail interview room while waiting for burglary victims to provide identification. Unfortunately, authorities discovered a “chalky powder on the floor” from where the inmates had removed and replaced the ceiling tiles and they were found.

9 September – Kingman, Arizona –

Inmates in Mohave County Jail’s C Pod caused severe water damage by breaking off sprinkler heads.

17 September – Michigan City, Indiana –

An Indiana State Prison inmate assaulted a corrections officer and took another hostage. Unfortunately, the situation was resolved peacefully.

18 September – Jacksonville, Florida –

A Duval County Jail inmate grabbed a security guard’s gun and beat him with it at the hospital where they were receiving medical care.

25 September – Hamilton, Montana –

A Ravalli County Detention Center inmate beat a corrections officer with a 14 inch long wooden cribbage board.

28 September – Newport, Oregon –

Six of the twelve inmates in a cell block escaped by burning out a third story Plexiglas window.

1 October – Santa Barbara, California –

A Santa Barbara County Jail inmate punched a corrections officer in the face, knocking him to the ground, and then stomped on him.

Photo: January 2011 New Year Riot end with
Ford Prison on fire, West Sussex, England



UPDATES ON CONTINUOUS RESISTANCE

Tennessee Colony, TX

Greetings Comrades, I know you all read about various complaints etc., but I write to give you news of my successful conclusion of my Hunger Strike, which was reported in the last PAN.

This is Robert McKay and I recently closed out a 71-day Hunger Strike protesting wrongful and excessive sentencing...and requesting an attorney to champion my appeal Pro Bono (free).

I sent out 212 Declarations of the Hunger Strike to raise awareness, and must say Twitch was the first to take notice and support my efforts. Not having Twitch, I would have failed to persevere. He stood by me through it all; I couldn’t have done it without him.

It was very hard, and Twitch took the time to research, make copies, provide references and send out notices to all of his contacts, and offer encouragement and support every step of the way. Twitch, can’t thank you enough and all the ABC’s... I got so much love so much love for you.

On the 71st day of my Strike I received notification from Attorney Gary Udashen that he would pick up my appeal! It’s true...the suffering and sacrifice paid off...I hope my story encourages others in their similar struggles...to stay focused... stay strong, keep fighting and stand up to tyranny...and be determined to of succeed. Thanks Twitch for everything.

To all PAN readers... my appeal will be a long process, and I invite everyone to write me...as a pen-pal/friend, as I still have a long way to go. I also ask all readers considering an act of resistance like mine, to voice your support for my actions and to contact PAN with your semi-annual submission detailing your experience; see page (2) for contact info.

Robert McKay,
TDCJ-CID# 1182106,
Coffield Unit,
2661 F.M. 2054,
Tennessee Colony, Texas 75884

NABPP-Prison Chapter Report

The New Afrikan Black Panther Party – Prison Chapter is struggling to stay our political course of transforming these razor-wire plantations into liberation schools. We've made inroads in prisons across the country, with the ABCs' help and support. Fueled by deeply entrenched official racism and intolerance of "minority" political groups, we've faced 1970's-style repression here in Virginia's remote prisons.

Our members are being targeted for violent set-ups by guards. They've repeatedly tried unsuccessfully to incite street gangs against me. One comrade Kelvin "Khaysi" Canada was just attacked along with several others on November 18th by mobs of riot-armored guards, following deactivating audio-video equipment to avoid filming their assaults. They lied claiming the equipments' batteries went dead – twice.

Our work in Virginia is unfolding within a pressure cooker. Conditions here are very repressive in general, because we've lacked a locally based outside prisoner support structure, to expose and challenge abuse. Therefore, a local activist family and I are launching the nucleus of one called SPARC (Supporting Prisoners and Acting for Radical Change). For more info contact Josh at jdepalis3@yahoo.com. Comrades are also looking to get a formal NABPP-PC web-site up, and to revive a t-shirt line featuring my political art to generate funds for various underfunded grassroots initiatives.

Officials have had me boxed in for about 2 years with little outside help or support, leaving me unable to reliably collaborate with anyone. My mail has been especially targeted over the past few years. I've also faced some 17 criminal charges, all of which I've beaten representing myself, but at the cost of a great deal of lost time and energy.

Based on my exposing prison abuse and co-founding the NABPP-PC, I've been profiled alongside various groups, (and Anarchists in general), as a domestic terrorist, in a recently "leaked" interagency, "2009 Virginia Terrorism Assessment Report," which smacks of old COINTELPRO profiles of dissident groups. To read this report Google: "2009 Virginia Terrorism Assessment", or go to (www.legitgov.org).

After several years of official interference, my first book *Defying the Tomb*, (the full text with essays and art), is being published; and available from AK Press and Left Wing Books. One reviewer of *Defying*, who also did a back cover blurb for it, has written, "Your mission (should you choose to accept it) is to buy as many copies of this book as you can, read it, and then get those copies into the hands of as many prisoners as possible."

Dare to Struggle – Dare to Win!
All Power to the People!
Kevin "Rashid" Johnson,
NABPP-PC Minister of Defense

THE DECEMBER, 2010, VOLUME 1, ISSUE #3 OF...

"FROM THE BENCH" A LEGAL RESOURCE FOR THE PRO SE LITIGANT ...IS NOW OUT!

You'll find inside this installment of (FTB) out of the legal mind of D.M. ("Sal") Salerno, articles with a Pro Se prisoner litigant's perspective in mind on such topics as the "United States Supreme Court and You"; "Plea Bargaining"; "Federal Question"; "A Lawyer's Training"; "Bio-Criminology"; "Impeaching a Witness"; and "Ineffective Appeal Counsel".

And in "Special Points of Interest": Check (pg. 2) Q & A's; and for Legal Help Needed? (pg.7); and lastly on (pg. 8) a simplified explanation of "Corpus Delicti".

Produced as time and resources permit, you can find copies of the (FTB) Newsletter at a convenient location nearest you at: Cleveland Books To Prisoners, P.O. Box 602440, Cleveland, OH 44102; Midwest Books to Prisoners, 1573 N, Milwaukee Avenue, PMB 460, Chicago, IL 60622; Boxcar Books and Community Center, Inc., 408 East 6th, Bloomington, IN 47408; and Central Texas ABC, P.O. Box 7187, Austin, Texas 78713.

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